

REMARKS/ARGUMENTS

In response to the Office Action dated April 11, 2008, Applicants respectfully request reconsideration.

Claim Rejections Under 35 U.S.C. §103

Claims 2-3, 5-11, 13, 17, 22-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,961,604 (Anderson) in view of U.S. Pat. No. 6,299,538 (McIntyre) in view of U.S. Pat. No. 6,271,845 (Richardson) in view of U.S. Pat. No. 6,970,167 (Kumamoto).

Claims 6-9, 14-16, 18, 25-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,961,604 (Anderson) in view of U.S. Pat. No. 6,299,538 (McIntyre) in view of U.S. Pat. No. 6,271,845 (Richardson) in view of U.S. Pat. No. 6,970,167 (Kumamoto) in view of U.S. Pat. No. 6,456,306 (Chin).

Applicants respectfully assert that impermissible hindsight is being used in piecing together the claim limitations. On page 7 of the Office Action dated April 10, 2007, the Examiner asserted that "there is a need to combine these icons [of the cited references] to reduce clutter." In the current Office Action, the Examiner asserted that "it would have been obvious to an artisan ... to combine the teaching of a priority status of Kumamoto with the system of Anderson-McIntyre-Richardson" and that "motivation to do so would have been to detect the severity of a problem with just a glance." *April 11, 2008 Office Action*, at page 3, l. 20, to page 4, l. 2. There is no evidence of a suggestion to combine the cited references in the manner proposed by the Examiner. Applicants assert that the asserted "need" and "motivation" for the present claims are the present claims themselves, which are used as a guide to cherry-pick from the references using impermissible hindsight, i.e., by using the claim language as a blueprint. For at least these reasons, the claims are patentable over Anderson in view of McIntyre in view of Richardson in view of Kumamoto, or additionally in view of Chin, respectively.

Appl. No. 09/927,822
Amdt. dated June 11, 2008
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2174

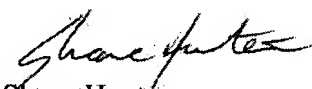
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,


Shane Hunter
Reg. No. 41,858

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 858-350-6100
Fax: 415-576-0300
Attachments
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